

April 7 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Shaun R. Thompson
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Office of Disciplinary Counsel

FILED

APR 07 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. PR 06-0544

IN RE PETITION FOR REINSTATEMENT
TO THE STATE BAR OF MONTANA

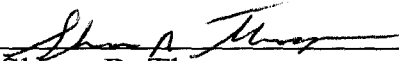
ODC'S THIRD STATUS REPORT

Pursuant to the Court's Order filed March 10, 2010, Disciplinary Counsel provides the following status report.

On January 21, 2010, a Review Panel of the Commission on Practice requested that the Office of Disciplinary Counsel ("ODC") file a formal complaint against Chris J. Nelson for alleged violations of Rules 5.5 and 3.4, MRPC. Nelson is represented in the disciplinary matter (ODC File No. 09-194) by attorney Robert L. Stephens, Jr.

1 Nelson, via his counsel, expressed interest in submitting a Rule 26
2 conditional admission prior to the filing of a formal complaint. Despite certain
3 communications between ODC and Nelson's counsel, the terms of a conditional
4 admission, as of the date of this report, have not been agreed upon. Accordingly,
5 the undersigned has filed a formal complaint, a copy of which is attached hereto as
6 Exhibit A.
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8 RESPECTFULLY SUBMITTED this 17th day of April, 2010.
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13 Shaun R. Thompson
14 Disciplinary Counsel
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CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of April, 2010, I served a copy of the foregoing document on the following persons by mailing a copy thereof, postage prepaid to:

Chris J. Nelson
P.O. Box 23395
Billings, MT 59104-3395

Robert L. Stephens, Jr.
Attorney at Law
P.O. Box 1438
Billings, MT 59103-1438


Shaun R. Thompson
Disciplinary Counsel

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Office of Disciplinary Counsel

FILED

APR 06 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

BEFORE THE COMMISSION ON PRACTICE OF THE
SUPREME COURT OF THE STATE OF MONTANA

IN THE MATTER OF CHRIS J. NELSON

An Attorney at Law,

Respondent.

) Supreme Court Cause No.

) ODC File No. 09-194

) **COMPLAINT**

By request of a Review Panel of the Commission on Practice, the Office of Disciplinary Counsel for the State of Montana ("ODC"), hereby charges Chris J. Nelson with professional misconduct as follows:

1. Chris J. Nelson, hereinafter referred to as Respondent, was admitted to the practice of law in the State of Montana in 1968, at which time he took the oath required for admission, wherein he agreed to abide by the Rules of Professional Conduct, the Disciplinary Rules adopted by the Supreme Court, and the highest standards of honesty, justice and morality, including but not limited to, those outlined in parts 3 and 4 of Chapter 61, Title 37, Montana Code Annotated.

EXHIBIT

A

1 2. The Montana Supreme Court has approved and adopted the Montana Rules of
2 Professional Conduct ("MRPC"), governing the ethical conduct of attorneys licensed to practice
3 in the State of Montana, which Rules were in effect at all times mentioned in this Complaint.

4 3. On June 27, 2008, Respondent was placed on inactive status with the State Bar of
5 Montana for noncompliance with the Montana Supreme Court's Rules for Continuing Legal
6 Education.

7 4. On or about July 3, 2008, Respondent was also administratively suspended by the
8 State Bar of Montana for non-payment of dues. Respondent, in November 2009, paid his
9 arrearages.

10 5. On December 4, 2009, Respondent filed a Petition of Reinstatement to Active
11 Status in the State Bar of Montana with the Montana Supreme Court. As of the filing of this
12 Complaint, the Court has not ruled on said Petition.

13 6. After being placed on inactive status and/or administratively suspended,
14 Respondent represented clients in the following court cases:
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16 A. *Spritzer v. Hoppel*, Montana Thirteenth Judicial District Court,
17 Yellowstone County, Cause No. DV-09-1010.

18 B. *Siemens v. Guscott*, Montana Thirteenth Judicial District Court,
19 Yellowstone County, Cause No. DR-09-331.

20 C. *McCleary v. McCleary*, Montana Fourteenth Judicial District Court,
21 Mussellshell County, Cause No. DR-08-17.

22 D. *City of Billings v. Bonogofsy*, Billings Municipal Court, Cause No. CR-09-
23 452.
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25

1 E. *City of Billings v. Fasching*, Billings Municipal Court, Cause No. CR-09-
2 332.

3 F. *City of Billings v. Erickson*, Billings Municipal Court, Cause No. CR-09-
4 529.

5 7. Respondent, in multiple violations of Rule 5.5, MRPC, engaged in the
6 unauthorized practice of law.

7 8. Respondent, in multiple violations of Rule 3.4(c), MRPC, knowingly disobeyed
8 obligations under the rules of a tribunal.

9 WHEREFORE, the Office of Disciplinary Counsel prays:

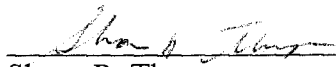
10 1. That a Citation be issued to the Respondent, to which shall be attached a copy of
11 the complaint, requiring Respondent, within twenty (20) days after service thereof, to file a
12 written answer to the complaint;

13 2. That a formal hearing be had on the allegations of this complaint before an
14 Adjudicatory Panel of the Commission;

15 3. That the Adjudicatory Panel of the Commission make a report of its findings and
16 recommendations after a formal hearing to the Montana Supreme Court, and, in the event the
17 Adjudicatory Panel finds the facts warrant disciplinary action and recommends discipline, that
18 the Commission also recommend the nature and extent of appropriate disciplinary action, and,
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20 4. For such other and further relief is deemed necessary and proper.

21 DATED this 5th day of April, 2010.

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24 Shaun R. Thompson
25 Disciplinary Counsel